

Packet No.: GENE.003.P  
Express Mail No.: EV393145808US

PETITION TO WITHDRAWAL  
HOLDING OF ABANDONMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrei Bugrim *et al.*  
Applicant No.: 10/518,103  
Filed: 18 June 2003  
Title: "Methods for Identifying Compounds for Treatment of Disease States"

Mail Stop: Petitions  
Commissioner for Patents  
U.S.P.T.O.  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL FORM

Dear Sir:

Transmitted herewith for filing is the provisional patent application from Inventors, Andrei Bugrim *et al.* Enclosed are:

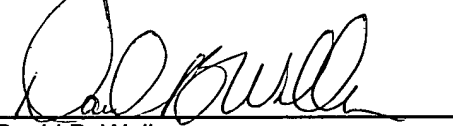
- X Petition to withdrawal Holding of Abandonment, 2 pages
- X Copy of Notice of Abandonment, 1 page
- X Copy of filing documents, 12 pages
- ☐ Declaration, 2 pages
- ☐ Verified Statement of Small Entity Status, 2 pages
- ☐ A disc comprising a file copy of the sequence listing + Duplicate
- ☐ A copy of references as requested by the Examiner, 99 documents
- ☐ A Sequence Listing, 2 pages
- X Certificate of Mailing by "Express Mail"
- X A return post card

For	No. Filed	No. Extra	Rate	Fee
New Claims	0	0	0x \$9.00 =	\$ 0.00
Independent Claims	0	0	0x \$39.00 =	\$ 0.00
Multiple Dependent Claims	0		0x \$130.00 =	\$ 0.00
Remaining Basic Filing Fee			\$50.00	\$ 50.00
Late Fee Surcharge			\$65.00	\$ 65.00
<b>TOTAL FEE:</b>				<b>\$ 115.00</b>

- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_. A duplicate copy of this sheet is enclosed.

- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No.
- ☐ Any additional filing fees required under 37 C.F.R §1.16
- ☐ Any patent application processing fees under 37 C.F.R §1.17
- ☒ A check for the filing fee in the amount of one-hundred fifteen dollars (\$115.00) is enclosed, Check No.: 1851

Respectfully submitted,

  
David B. Waller

Please send all correspondence to:

David B. Waller  
David B. Waller & Associates  
5677 Oberlin Drive, Suite 214  
San Diego, CA 92121  
Phone: (858) 457-2014  
Facsimile: (858) 457-2308  
E-mail: dbwipmg.sbcglobal.net

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 3/31/2007. OMB 0651-0021  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

GENE. 003 PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/513103

INTERNATIONAL APPLICATION NO.  
PCT/US03/19325

INTERNATIONAL FILING DATE  
JUNE 18, 2003

PRIORITY DATE CLAIMED  
JUNE 18, 2002

TITLE OF INVENTION

**METHODS FOR IDENTIFYING COMPOUNDS FOR TREATING DISEASE STATES**

APPLICANT(S) FOR DO/EO/US

**A. BUGRIM, T. NIKOLSKAYA AND A. MARKOV**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☒ have not been made; however, the time limit for making such amendments has **NOT** expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/US03/19325ATTORNEY'S DOCKET NUMBER  
GENE.003.PCT21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482)

nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO

and International Search Report not prepared by the EPO or JPO

\$1110.00

International preliminary examination fee (37 CFR 1.482) not paid to

USPTO but International Search Report prepared by the EPO or JPO

\$950.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO

but international search fee (37 CFR 1.445(a)(2)) paid to USPTO

\$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

but all claims did not satisfy provisions of PCT Article 33(1)-(4)

\$750.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO

and all claims satisfied provisions of PCT Article 33(1)-(4)

\$200.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$ 200.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X \$18.00
Independent claims	- 3 =		X \$88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$300.00

\$

\$ 0.00

\$ 0.00

\$ 0.00

\$ 0.00

TOTAL OF ABOVE CALCULATIONS =

\$ 200.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced  
by 1/2.

\$

(100.00)

SUBTOTAL =

\$ 100.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest  
claimed priority date (37 CFR 1.492(f)).

+

\$ 0.00

TOTAL NATIONAL FEE =

\$ 100.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied  
by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

\$ 0.00

TOTAL FEES ENCLOSED =

\$ 100.00

Amount to be

refunded:

\$

Amount to be

charged:

\$

- a. ☒ A check in the amount of \$ 100.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit  
Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed  
and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

David B. Waller

NAME

43,978

REGISTRATION NUMBER



Docket No.: GENE.003.PC/US  
Express Mail No.: EV393145808US

PETITION TO WITHDRAWAL  
HOLDING OF ABANDONMENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andrei Bugrim *et al.*  
Applicant No.: 10/518,103  
Filed: 18 June 2003  
Title: "METHODS FOR IDENTIFYING COMPOUNDS FOR  
TREATING DISEASE STATES"

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Mail Stop: Petitions  
Commissioner of Patents  
U.S.P.T.O.  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the enclosures listed below are being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10, Mailing Label Certificate No.: EV393145808US, on 4 August 2005, addressed to: Mail Stop: Petitions, Commissioner for Patents, U.S.P.T.O. Box 1450 Alexandria, VA 22313-1450.

Respectfully submitted,

David B. Waller  
Patent Agent No.: 43,978

Enclosures:

Petition under 37 C.F.R. 1.181, 2 pages  
Copy of Notice of Abandonment, 1 page  
Copy of filing documents, 12 pages  
Check No.: 1851 for \$115.00  
Transmittal 2 pages, +Duplicate  
Return Postcard



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/518,103	FIRST NAMED APPLICANT Andrei Bugrim	ATTY. DOCKET NO. Gene.003.PCT
---	--	----------------------------------

INTERNATIONAL APPLICATION NO. PCT/US03/19325
---

I.A. FILING DATE 06/18/2003	PRIORITY DATE
--------------------------------	---------------

26990  
 DAVID B. WALLER & ASSOCIATES  
 5677 OBERLIN DRIVE  
 SUITE 214  
 SAN DIEGO, CA 92121

CONFIRMATION NO. 5310

371  
 ABANDONMENT/TERMINATION  
 LETTER



\*OC000000016561708\*

Date Mailed: 07/20/2005

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

Fac'd PCTA 04 AUG 2005



ORIGIN (POSTAL USE ONLY)

PO ZIP Code	Day of Delivery	Flat Rate Envelope
20024	<input checked="" type="checkbox"/> First <input type="checkbox"/> Second	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Date in Mo. Day Year	Time in AM PM	Postage \$
12 10 04	1:16	1.65
Weight lbs. ozs.	Int'l Alpha Country Code	Return Receipt Fee
2.9		
No Delivery <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Acceptance Clerk Initials	COD Fee Insurance Fee
Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		
CUSTOMER USE ONLY		
METHOD OF PAYMENT: \$ 1.65		

FROM: PLEASE PRINT

PHONE 650 421 2014

ASSOCIATES  
17700 RILEY AVE STE 414  
CHULA VISTA CA 92011-1742

GFME.003.R4US

PRESS HARD.  
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



Customer Copy  
Label 11-F June 2002

UNITED STATES POSTAL SERVICE®  
DELIVERY (POSTAL USE ONLY)

Post Office To Addressee

Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Attempt	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only) - Signature of addressee or authorized agent is not required. Insurance is void if address of addressee is requested. Mail delivery to be made without obtaining signature of addressee or authorized agent. Signature of delivery employee can be left in secure location and / or signature of delivery employee's signature can be left in secure location.		
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		

Federal Agency Acct. No. or Postal Service Acct. No.

Customer Signature

TO: PLEASE PRINT

PHONE 703 305 0341

MAIL STOP PATRIOT AFFILIATION  
COMMUNICATION FOR PATRIOT  
U.S.P.T.O.  
P.O. BOX 1450  
AUGUSTA, VA 22013-1450



Customer Copy  
Label 11-F June 2002



UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ENCINITAS POSTAL STORE  
ENCINITAS, California  
920249998

12/10/2004 0567760024-0098 01:18:04 PM  
(800)275-8777

Product Description	Qty	Unit Price	Final Price
---------------------	-----	------------	-------------

ALEXANDRIA VA 22313			\$13.65
Express Mail PO-ADD			
Serial Number EV393144229US			
Next Day Noon / Normal			
Delivery			

Issue PVI: \$13.65

Total: \$13.65

Paid by: Personal Check \$13.65

Bill#: 1000201614178  
Clerk: 27

— All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.  
Customer Copy

☐ WAIVER OF SIGNATURE (Domestic Only) Additional merchandise insurance is void if waiver of signature is requested. I, when delivery is made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.  
NO DELIVERY ☐ Weekend ☐ Holiday

Customer Signature

Special Agency Acct. No. or  
Postal Service Acct. No.

TO: (PLEASE PRINT)

PHONE

800-222-1811 www.usps.com





PATENT AND TRADEMARK OFFICE  
13-10-0001  
12-22-2004  
FOR CREDIT TO THE  
U.S. TREASURY

3060 87507

PO310000114  
NACHOVIA NA SVC071 4718T  
PHILA, PA 1222004 16PK  
7419133503

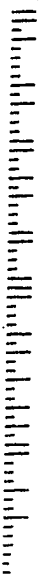
DEC 23 04

12/23/04 LA-CA  
122000661 01  
E4094 SDO  
0160133503

David B. Waller & Associates  
5677 Oberlin Drive, Suite 214  
San Diego, CA 92121



David B. Waller  
David B. Waller & Associates  
5677 Oberlin Drive, Suite 214  
San Diego, CA 92121



DT07 Rec'd PCT/PTO 10 DEC 2004

Please acknowledge receipt of the following by affixing hereon the Patent Trademark Office date stamp and returning this card to our office.

Applicant:

Andrei Bugrim, Tatiana Nikitskaya and

Serial No.:

Aleksander Markov  
PCT/US03/19325

Filed:

18 June 2004

10/518103

For:

METHOD FOR IDENTIFYING COMPOUNDS FOR  
TREATING DISEASE STATES

PATENT APPLICATION

Docket No.:

GENE.003.PC/US

Transmittal letter under 35 U.S.C 371, 2 pages

Declaration under 37 C.F.R. 1.63, 3 pages

Certificate of Mailing No.: EV393144229US

Check No.: 1735 for \$100.00

<b>DAVID B. WALLER &amp; ASSOCIATES</b>	
THE INTELLECTUAL PROPERTY MANAGEMENT GROUP	
5677 OBERLIN DR, SUITE 214 PH. 858-457-2014 SAN DIEGO, CA 92121	
1735	
DATE 12/10/04	
16-66/1220	
PAY TO THE ORDER OF <u>CommuniGen for Patents</u>	
<u>Cash Handled 100/100</u>	
BANK OF AMERICA, NA	
FOR <u>GENE.003.PC/US</u>	
DOLLARS \$ <u>100.00</u> / 100	
100000100000	
11001735 11220006611 11024009307	